

# JOHNSON UTILITIES L.L.C

5230 East Shea Boulevard \* Scottsdale, Arizona 85254

PH: (480) 998-3300; FAX: (480) 483-7908

ORIGINAL



0000132471

April 18, 2012

Docket Control  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

RE: Johnson Utilities Company- Application to extend a Certificate of Convenience and Necessity. Docket No. WS-02987A-12-0136

This filing supplements the application to extend Johnson Utilities' Certificate of Convenience and Necessity to include Bella Vista Farms/Merrill Ranch Expansion 1 with letters in support of the application. Please see the attached letters hereto from the Pinal County Community College District dba Central Arizona College, Town of Florence, and Diversified Water Utilities as Attachments 1, 2, and 3 respectfully.

Sincerely,

Daniel Hodges

Arizona Corporation Commission

DOCKETED

APR 18 2012

DOCKETED BY

WAA

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL  
2012 APR 18 PM 3 05

# **ATTACHMENT 1**

Town of Florence  
P.O. Box 2670  
775 North Main Street  
Florence, Arizona 85132

Phone: (520) 868-7500  
Fax: (520) 868-7501  
TDD: (520) 868-7502

[www.florenceaz.gov](http://www.florenceaz.gov)

## **TOWN SERVICES**

Building Safety  
868-7573

Community Development  
868-7575

Finance  
868-7624

Fire  
868-7609

Grants  
868-7513

Human Resources  
868-7545

Library  
868-8311

Municipal Court  
868-7514

Parks & Recreation  
868-7589

Police  
868-7681

Public Works  
868-7620

Senior Center  
868-7622

Town Attorney  
868-7557

Utility Billing  
868-7680

Water/Wastewater  
868-7677

April 12, 2012

George Johnson  
Johnson International, Inc.  
5230 E. Shea Boulevard, Suite 200  
Scottsdale, AZ 85254

### **RE: WATER AND WASTEWATER SERVICE TO CERTAIN PORTION OF THE MERRILL RANCH PROJECT**

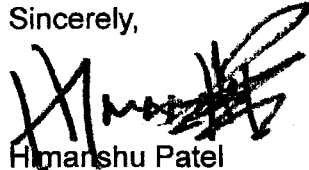
Dear Mr. Johnson:

The Town of Florence supports Johnson Utilities to provide water and wastewater services to certain portion of the Merrill Ranch project as referenced in the attached legal description.

Although the specific property is within the town limits of Florence, The Town of Florence supports Johnson Utilities LLC application to extend its Certificate of Convenience & Necessity (CC&N) for water and wastewater services to this referenced property per the Operating Agreement between the Town of Florence and Johnson Utilities LLC dated April 20, 2005, Fee Number 2005-051154.

Should you have any questions, please feel free to contact me.

Sincerely,



Himanshu Patel  
Town Manager

Attachment: "Pulte/Southwest Value Partners Water and Sewer CC&N Request  
- Boundary Description, dated April 3, 2012 by Baxter Design Group

cc: James Mannato, Town Attorney  
Wayne Costa, Public Works Director  
Justin Merritt, Southwest Value Partner



**Pulte/Southwest Value Partners**  
**Water and Sewer CC&N Request – Boundary Description**

A Parcel of Land lying within the Northwest Quarter of Section 29, Section 30, the Northeast Quarter of Section 31 and the Northwest Quarter of Section 32, Township 4 South, Range 9 East, of the Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the North Quarter Corner of Section 30 (#5 RB w/2" AC LS 21065, Found), said point being the POINT OF BEGINNING from which the Northeast Corner of Section 30 (#5 RB w/2" AC LS 21065) bears South 89 degrees 55 Minutes 26 Seconds East (Basis of Bearing), a distance of 2622.97 feet;

Thence, South 89 Degrees 55 Minutes 26 Seconds East, a distance of 2622.97 feet;

Thence, North 89 Degrees 54 Minutes 12 Seconds East, a distance of 698.65 feet;

Thence Southwesterly, an arc distance of 1126.18 feet along a curve to the Right having a radius of 3932.50 feet and a central angle of 16 Degrees 24 Minutes 30 Seconds;

Thence, South 44 Degrees 31 Minutes 58 Seconds West, a distance of 550.46 feet;

Thence Southerly, an arc distance of 1983.37 feet along a curve to the Left having a radius of 1917.50 feet and a central angle of 59 Degrees 15 Minutes 50 Seconds;

Thence, South 14 Degrees 43 Minutes 53 Seconds East, a distance of 375.12 feet;

Thence, North 75 Degrees 16 Minutes 42 Seconds East, a distance of 769.90 feet;

Thence, South 00 Degrees 00 Minutes 01 Seconds East, a distance of 1989.42 feet;

Thence, North 89 Degrees 52 Minutes 02 Seconds East, a distance of 1310.57 feet;

Thence, South 00 Degrees 25 Minutes 32 Seconds East, a distance of 1320.60 feet;

Thence, South 89 Degrees 52 Minutes 20 Seconds West, a distance of 1310.49 feet;

Thence, North 89 Degrees 58 Minutes 36 Seconds West, a distance of 2612.18 feet;

Thence, North 00 Degrees 23 Minutes 06 Seconds West, a distance of 1321.04 feet;

Thence, North 89 Degrees 57 Minutes 22 Seconds West, a distance of 2620.60 feet;

Thence, North 00 Degrees 25 Minutes 48 Seconds West, a distance of 75.00 feet;

Thence, North 64 Degrees 43 Minutes 42 Seconds East, a distance of 2699.25 feet;

Thence, North 74 Degrees 31 Minutes 20 Seconds East, a distance of 344.72 feet;



Thence, North 89 Degrees 57 Minutes 08 Seconds West, a distance of 2782.50 feet;

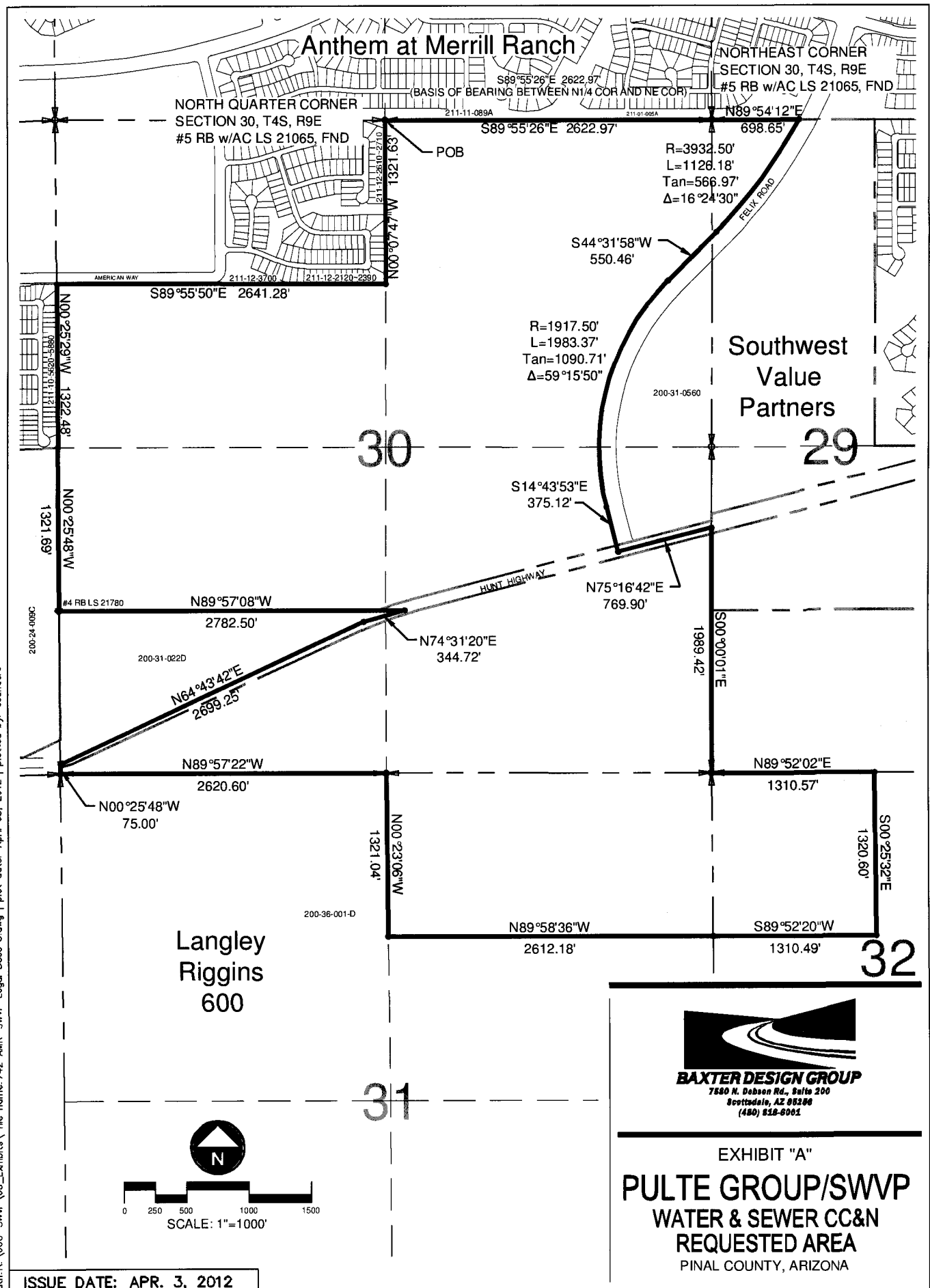
Thence, North 00 Degrees 25 Minutes 48 Seconds West, a distance of 1321.69 feet;

Thence, North 00 Degrees 25 Minutes 29 Seconds West, a distance of 1322.48 feet;

Thence South 89 Degrees 55 Minutes 50 Seconds East, a distance of 2641.28 feet;

Thence North 00 Degrees 07 Minutes 47 Seconds West, a distance of 1321.63 feet to the POINT OF BEGINNING.

Containing 607.41 acres, more or less.



## **ATTACHMENT 2**



**CHRIS CLONTS**  
6613 N. Scottsdale Road, Suite 200  
Scottsdale, AZ 85250  
Phone 480.240.5583 Fax 480.505.3925  
CCLonts@RoseLawGroup.com  
www.RoseLawGroup.com

April 6, 2012

George Johnson  
Johnson Utilities, Inc.  
5230 E. Shea Boulevard, Suite 200  
Scottsdale, AZ 85254

Dear Mr. Johnson:

On behalf of our client, Pinal County Community College District dba Central Arizona College, we hereby request that Johnson Utilities provide water service to a portion of the Bella Vista Farms planned community (the "Property"). A legal description of the College's property requesting service is attached to this letter as Exhibit A. We understand that the property is currently outside of Johnson Utilities' CC&N boundary and request that you proceed with filing an application with the Arizona Corporation Commission to have the Property included in your certificated area.

Should you have any further questions or need anything further for the CC&N application please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Clonts".

Chris Clonts  
Project Manager



**EXHIBIT "A"**

PORTIONS OF THE WEST HALF OF SECTION 15 AND EAST HALF OF SECTION 16, OF TOWNSHIP 3 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A #5 REBAR WITH CAP RLS #25070 LOCATED AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, FROM WHICH A COTTON PICKER SPINDLE LOCATED AT THE SOUTHWEST CORNER OF SAID SECTION 15 BEARS SOUTH 89 DEGREES 33 MINUTES 39 SECONDS WEST, 2690.31 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, SOUTH 89 DEGREES 33 MINUTES 39 SECONDS WEST, 1176.99 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 33 MINUTES 39 SECONDS WEST, 1513.32 FEET TO SAID SOUTHWEST CORNER;

THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 26 MINUTES 07 SECONDS WEST, 159.21 FEET TO THE NORTHEASTERLY SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY LINE;

THENCE LEAVING SAID SOUTH LINE, NORTH 39 DEGREES 00 MINUTES 38 SECONDS WEST, 2266.81 FEET ALONG SAID RIGHT-OF-WAY LINE;

THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 51 DEGREES 02 MINUTES 41 SECONDS EAST, 2390.86 FEET TO A NON TANGENT CURVE CONCAVE NORTHEAST, HAVING A RADIUS OF 1500.00 FEET, THE CENTER OF WHICH BEARS NORTH 54 DEGREES 58 MINUTES 49 SECONDS EAST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57 DEGREES 16 MINUTES 14 SECONDS, AN ARC LENGTH OF 1499.34 FEET;

THENCE NORTH 87 DEGREES 42 MINUTES 36 SECONDS EAST, 1023.68 FEET TO A #5 REBAR WITH CAP RLS #25070 LOCATED AT THE CENTER OF SAID SECTION 15;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, SOUTH 02 DEGREES 17 MINUTES 29 SECONDS EAST, 1978.53 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89 DEGREES 33 MINUTES 39 SECONDS WEST, 1155.37 FEET;

THENCE SOUTH 00 DEGREES 26 MINUTES 21 SECONDS EAST, 668.47 FEET TO THE POINT OF BEGINNING.

EXCEPT 1/16TH OF ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, COAL, STONE, METALS, MINERALS, FOSSILS, FERTILIZERS OF EVERY NAME AND DESCRIPTION; AND

EXCEPT ALL MATERIAL WHICH IS OR MAY BE DETERMINED TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE, AS RESERVED IN THE PATENT TO SAID LAND.

## **ATTACHMENT 3**



## Diversified Water Utilities, Inc.

Corporate Office  
(602) 840-9400  
fax (602) 840-6030

4700 E. Thomas Rd., Suite 203  
Phoenix, AZ 85018-7703

Field Office  
phone/fax  
(480) 987-9939

34630 N. Schnepf Rd.  
Queen Creek, AZ 85240-9229

December 9, 2011

Quality Water  
Quality Service

Member, AWWA  
AWPCA  
WUAA  
EVWF

The Honorable Gary Pierce  
Chairman, Arizona Corporation Commission  
1200 West Washington Ave.  
Phoenix, Arizona 85007

George Johnson  
Manager  
Johnson Utilities, L.L.C.  
5230 East Shea Blvd.  
Scottsdale, Arizona 85254

Re: Domestic Water Service to the Bella Vista Road Alignment

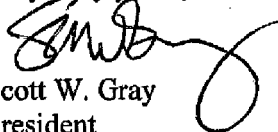
Dear Chairman Pierce and Mr. Johnson,

This letter is to inform you and confirm that the Letter of Mutual Understanding, Cooperation and Settlement ("Agreement") between Diversified Water Utilities, Inc. ("DWU") and Johnson Utilities, L.L.C. ("JU") dated June 20, 2005 addressing the understanding between DWU and JUC regarding domestic water service along the Bella Vista Road alignment in Pinal County, Arizona has been terminated and is no longer in effect.

We understand that BVF Land, L.L.C. ("BVF") desires that domestic water service for the uncertificated real property along Bella Vista Road in Pinal County, Arizona ("Property") be provided by JU. DWU confirms by this letter and its filings with the Arizona Corporation Commission ("Commission") that DWU has removed any objections to JU providing domestic water service to the Property. This will additionally confirm that DWU is ready and looks forward to assisting BVF with any domestic water service requirements that BVF may have for any of its real property within DWU's Commission certificated service area when and as needed.

I hope that this letter sufficiently sets forth our position on this matter. If there are any questions, please do not hesitate to contact us.

Very truly yours,

  
Scott W. Gray  
President

cc: William Sullivan, Esq.  
Gary A. Drummond, Esq.  
Commissioner Paul Newman  
Commissioner Bob Stump

Commissioner Brenda Burns  
Commissioner Sandra D. Kennedy